

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**ANGELO FEARS, :  
Petitioner, : CASE NO. 01 CV 183  
vs. : JUDGE RICE  
MARGARET A. BAGLEY, WARDEN : MAGISTRATE JUDGE MERZ  
Respondent. :**

**RESPONDENT BAGLEY'S REFILED RESPONSE  
TO PETITIONER FEARS' NOTICE OF  
SUPPLEMENTATION OF THE RECORD**

If the papers submitted in response to the "Call for Papers" (due date November 2002) were complimentary to Dr. Gastil's methodology or conclusions, it is likely Fears would seek to submit the actual papers. At least four papers were submitted. See Attachments A and B.

If the Court is inclined to give evidentiary weight and significance to a "Call for Papers", then the Warden requests an opportunity to review the actual papers to see what they have to say about the conclusions and methodology of Dr. Gastil's paper.

Respectfully submitted,

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S/ Stephen E. Maher  
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**COUNSEL FOR RESPONDENT**

**(refiled from 8-13-04 to conform to docketing requirements)**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **refiled doc. 105** to Lawrence Greger, 1100 Liberty Tower, 120 W. Second Street, Dayton, Ohio 45402 and Stephen A. Ferrell, Ohio Public Defender, 8 East Long Street, 11<sup>th</sup> Floor, Columbus, Ohio 43215, by electronic filing this 16<sup>th</sup> day of August, 2004.

S/Stephen E. Maher  
STEPHEN E. MAHER  
Assistant Attorney General